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SIPDIS

SENSITIVE

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SUBJECT: TERRORIST FINANCING: LITHUANIA ACCEPTS EU COURT
DECISION

REF: SECSTATE 172518

11. (SBU) SUMMARY: The Acting Head of the MFA's Threat Analysis Division told us on September 28 that Lithuania continues to support dialogue to ensure effective sanctions against terrorist financing. Stonys said that the GOL is pleased that the European Court of First Instance (ECI) decided the case of "Somali Swede 3" in the EU's favor. The GOL had no serious complaints about the UNSCR 1267 or 1373 processes and will likely not press for changes to either. We emphasized the importance of timely national action in implementing Lithuania's obligations under 1267 and 1373 and welcomed further cooperation with the GOL in the war on terror. END SUMMARY.

GOL PLEASED WITH ECI DECISION

12. (SBU) Gintaras Stonys, Acting Head of the MFA's Threat Analysis, Crisis Management, and International Operations Division, told us on September 28 that the GOL supports continued open dialogue to ensure that sanctions against terrorist financing are effective. Stonys said that the GOL is pleased that the European Court of First Instance (ECI) on 21 September decided the case of Ahmed Yusuf Ali Al-Qadi ("Somali Swede 3") in the EU's favor. He said that this decision confirmed that the EU's procedures under UN Security Council Resolution 1267 are legal and that they do not violate human rights.

13. (SBU) Stonys said that the GOL had no serious complaints about either the UNSCR 1267 or 1373 processes. He noted that the 1373 obligations are more cumbersome than 1267 and more open to legal challenges in the EU because of the requirement that the EU compile its own list of individuals and entities. He doubted, however, that the GOL will press for changes to either. Stonys told us that a discussion of both the 1267 and 1373 processes is on the EU's RELEX Sanction Committee's agenda for September 27, but he has not yet received a readout from the meeting.

14. (SBU) We emphasized to Stonys the importance of timely national action on implementing asset freezes, travel bans, and arms embargoes in accordance with Lithuania's obligations as a UN member state under resolutions 1267 and 1373. He admitted that an unfortunate time gap occurs between an entity's listing on the 1267 list and EU enforcement action.

15. (SBU) We told Stonys that we welcomed dialogue with the GOL that would make UN sanctions more effective and emphasized our commitment in continuing our cooperation with the GOL in the war on terrorism. We also informed him of the London U.S.-EU expert-level workshop on issues related to FATF Special Recommendation III (SR III).

COMMENT

16. (SBU) The GOL, as a supportive partner in the war on terror, will entertain USG suggestions for improvements in how we fight this war together. It is, however, likely to let other (larger) EU member states take the lead role in shaping any changes to EU sanctions enforcement mechanisms. MULL